

2242

2009-2010 Regular Sessions

I N S E N A T E

February 13, 2009

Introduced by Sens. VOLKER, ALESİ, FUSCHILLO, LARKIN, MORAHAN, SEWARD, SKELOS, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing municipalities to establish residential speed limit districts with speed limits as low as fifteen miles per hour

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 1643 of the vehicle and traffic law, as amended by
2 chapter 563 of the laws of 2002, is amended to read as follows:
3 S 1643. Speed limits on highways in cities and villages. The legisla-
4 tive body of any city or village with respect to highways (which term
5 for the purposes of this section shall include private roads open to
6 public motor vehicle traffic) in such city or village, other than state
7 highways maintained by the state on which the department of transporta-
8 tion shall have established higher or lower speed limits than the statu-
9 tory fifty-five miles per hour speed limit as provided in section
10 sixteen hundred twenty OF THIS TITLE, or on which the department of
11 transportation shall have designated that such city or village shall not
12 establish any maximum speed limit as provided in section sixteen hundred
13 twenty-four OF THIS TITLE, subject to the limitations imposed by section
14 sixteen hundred eighty-four OF THIS TITLE may by local law, ordinance,
15 order, rule or regulation establish maximum speed limits at which vehi-
16 cles may proceed within such city or village, within designated areas of
17 such city or village or on or along designated highways within such city
18 or village higher or lower than the fifty-five miles per hour maximum
19 statutory limit. No such speed limit applicable throughout such city or
20 village or within designated areas of such city or village shall be
21 established at less than thirty miles per hour, EXCEPT IN A CITY HAVING
22 A POPULATION OF LESS THAN ONE MILLION BY THE LEGISLATIVE BODY OF SUCH
23 CITY, RESIDENTIAL SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 FIFTEEN MILES PER HOUR ON STREETS DESIGNATED AS RESIDENTIAL BY THE
2 LEGISLATIVE BODY OF SUCH CITY. No such speed limit applicable on or
3 along designated highways within such city or village shall be estab-
4 lished at less than twenty-five miles per hour, except that school speed
5 limits may be established at not less than fifteen miles per hour, for a
6 distance not to exceed one thousand three hundred twenty feet, on a
7 highway passing a school building, entrance or exit of a school abutting
8 on the highway and except that within the cities of Buffalo and Roches-
9 ter speed limits may be established at not less than fifteen miles per
10 hour for any portion of a highway within a city park, AND EXCEPT THAT
11 WITHIN A CITY HAVING A POPULATION OF LESS THAN ONE MILLION, RESIDENTIAL
12 SPEED LIMITS MAY BE ESTABLISHED AT NO LESS THAN FIFTEEN MILES PER HOUR
13 ON STREETS DESIGNATED RESIDENTIAL BY THE LEGISLATIVE BODY OF SUCH CITY.

14 S 2. Section 1662-a of the vehicle and traffic law, as amended by
15 chapter 563 of the laws of 2002, is amended to read as follows:

16 S 1662-a. Speed limits in certain towns. The town board of any subur-
17 ban town governed pursuant to article three-A of the town law and the
18 town board of any other town having a population exceeding fifty thou-
19 sand, with respect to highways (which term for the purposes of this
20 section shall include private roads open to public motor vehicle traf-
21 fic) in such towns outside any village, other than state highways main-
22 tained by the state on which the department of transportation shall have
23 established higher or lower speed limits than the statutory fifty-five
24 miles per hour speed limit as provided in section sixteen hundred twenty
25 OF THIS TITLE, or on which the department of transportation shall have
26 designated that such towns shall not establish any maximum speed limit
27 as provided in section sixteen hundred twenty-four OF THIS TITLE,
28 subject to the limitations imposed by section sixteen hundred eighty-
29 four OF THIS TITLE may by local law, ordinance, order, rule or regu-
30 lation establish maximum speed limits at which vehicles may proceed
31 within such towns, within designated areas of such towns or on or along
32 designated highways within such towns lower than the fifty-five miles
33 per hour maximum statutory limit. No such speed limit applicable
34 throughout such towns or within designated areas of such towns shall be
35 established at less than thirty miles per hour, except that in the town
36 of Hempstead speed limits may be established at not less than fifteen
37 miles per hour on any portion of a highway in the community known as
38 Point Lookout; provided, however, that no such speed limit in such town
39 may be established unless a majority of the residents of such community
40 file a petition with the town board of such town requesting such speed
41 limit AND EXCEPT THAT ON STREETS DESIGNATED RESIDENTIAL BY THE TOWN
42 BOARD RESIDENTIAL SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN
43 FIFTEEN MILES PER HOUR. No such speed limit applicable on or along
44 designated highways within such towns shall be established at less than
45 twenty-five miles per hour, except that school speed limits may be
46 established at not less than fifteen miles per hour, for a distance not
47 to exceed one thousand three hundred twenty feet, on a highway passing a
48 school building, entrance or exit of a school abutting on the highway,
49 and except further that in the town of Hempstead speed limits may be
50 established at not less than fifteen miles per hour on any portion of a
51 highway in the community known as Point Lookout; provided, however, that
52 no such speed limit in such town may be established unless a majority of
53 the residents of such community file a petition with the town board of
54 such town requesting such speed limit AND EXCEPT THAT ON STREETS DESIG-
55 NATED RESIDENTIAL BY THE TOWN BOARD RESIDENTIAL SPEED LIMITS MAY BE
56 ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR.

1 S 3. Subdivision (d) of section 1180 of the vehicle and traffic law,
2 as amended by chapter 432 of the laws of 1997, is amended to read as
3 follows:

4 (d) 1. Except as provided in subdivision (g) of this section, whenever
5 maximum speed limits, other than school speed limits AND OTHER THAN
6 RESIDENTIAL SPEED LIMITS, have been established as authorized in
7 sections sixteen hundred twenty, sixteen hundred twenty-two, sixteen
8 hundred twenty-three, sixteen hundred twenty-seven, sixteen hundred
9 thirty, sixteen hundred forty-three, sixteen hundred forty-four, sixteen
10 hundred fifty-two, sixteen hundred sixty-two-a, sixteen hundred sixty-
11 three, and sixteen hundred seventy OF THIS CHAPTER, no person shall
12 drive in excess of such maximum speed limits at any time.

13 2. Except as provided in subdivision (g) of this section, whenever
14 maximum speed limits, other than school speed limits AND OTHER THAN
15 RESIDENTIAL SPEED LIMITS, have been established with respect to any
16 restricted highway as authorized in section sixteen hundred twenty-five
17 OF THIS ARTICLE, no person shall drive in excess of such maximum speed
18 limits at any time.

19 3. EXCEPT AS PROVIDED IN SUBDIVISION (G) OF THIS SECTION, WHENEVER
20 MAXIMUM RESIDENTIAL SPEED LIMITS HAVE BEEN ESTABLISHED AS AUTHORIZED IN
21 SECTIONS SIXTEEN HUNDRED FORTY-THREE AND SIXTEEN HUNDRED SIXTY-TWO-A OF
22 THIS CHAPTER, NO PERSON SHALL DRIVE IN EXCESS OF SUCH MAXIMUM SPEED
23 LIMITS AT ANY TIME.

24 S 4. The opening paragraph of paragraph 4 of subdivision (h) of
25 section 1180 of the vehicle and traffic law, as amended by section 7 of
26 part C of chapter 62 of the laws of 2003, is amended to read as follows:

27 Every person convicted of a violation of subdivision (c) of this
28 section when such violation occurs in a school speed zone during a
29 school day between the hours of seven o'clock A.M. and six o'clock P.M.
30 AND EVERY PERSON CONVICTED OF A VIOLATION OF PARAGRAPH THREE OF SUBDIVI-
31 SION (D) OF THIS SECTION, shall be punished as follows:

32 S 5. This act shall take effect immediately.